

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Judith Le	Team: Squad #12	CCRB Case #: 201704295	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Tuesday, 05/23/2017 4:00 PM	Location of Incident: Halsey Street and Wilson Avenue	Precinct: 83	18 Mo. SOL 11/23/2018	EO SOL 11/23/2018	
Date/Time CV Reported Wed, 05/24/2017 5:51 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 05/30/2017 1:08 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Michael Farrell	00415	948952	NARCBBN
2. DT3 Christophe Welch	5727	947603	NARCBBN
3. DT3 Johnpaul Catano	210	945159	NARCBBN
4. POM Rene Castellano	2601	946836	NARCBBN
5. POM Alejandro Villalona	101	947866	NARCBBN
6. POM Allan Ward	520	949783	NARCBBN

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Alexandru Anghel	00240	934403	NARCBBN
2. POF Cameel Quallis	13823	949516	NARCBBN
3. POM Vincent Demarino	04585	953812	NARCBBN
4. POM Daniel Molinski	21578	952030	NARCBBN
5. POM Benjamin Perez	16594	944886	083 PCT
6. POM Robert Alimena	16308	954477	083 PCT
7. POM John Sullivan	06544	949703	083 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Allan Ward	Abuse: Police Officer Allan Ward improperly arrested § 87(2)(b)	
B.DT3 Christophe Welch	Abuse: Detective Christopher Welch improperly arrested § 87(2)(b)	
C.POM Alejandro Villalona	Force: Police Officer Alejandro Villalona used physical force against § 87(2)(b)	
D.POM Alejandro Villalona	Discourtesy: Police Officer Alejandro Villalona spoke discourteously to § 87(2)(b)	
E.POM Rene Castellano	Discourtesy: Police Officer Rene Castellano spoke discourteously to § 87(2)(b)	
F.POM Michael Farrell	Discourtesy: Police Officer Michael Farrell spoke discourteously to § 87(2)(b)	
G.POM Michael Farrell	Force: Police Officer Michael Farrell used physical force against § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
H.POM Rene Castellano	Force: Police Officer Rene Castellano used physical force against § 87(2)(b)	
I.POM Alejandro Villalona	Force: Police Officer Alejandro Villalona used a chokehold against § 87(2)(b)	
J.POM Alejandro Villalona	Force: Police Officer Alejandro Villalona restricted § 87(2)(b)'s breathing.	
§ 87(4-b), § 87(2)(g)		

Case Summary

On May 23, 2017 at 3:00 p.m., Sgt. Alexandru Anghel and PO Allen Ward of Brooklyn North Narcotics conducted a tactical meeting for the execution of a search warrant at § 87(2)(b) in Brooklyn, a suspected drug trafficking location, for the search of narcotics and

§ 87(2)(b) § 87(2)(e), § 87(2)(f) He instructed officers to go to the park to apprehend § 87(2)(b) and § 87(2)(b) (**Allegation A**). Det. Christopher Welch, PO Cameel Quallis and Detective John Paul Catano of Brooklyn Narcotics North then proceeded to the park and Det. Welch arrested § 87(2)(b) (**Allegation B**). § 87(2)(b) was then taken out of the park by Det. Welch and PO Michael Farrell of Brooklyn Narcotics North, and escorted to a black van, driven by PO Alejandro Villalona and PO Rene Castellano of Brooklyn Narcotics North. § 87(2)(b) refused to get in the van, and in the response, PO Villalona allegedly slammed § 87(2)(b) against the side of the van (**Allegation C**). PO Villalona, PO Castellano, and PO Farrell then allegedly said, “Motherfucker, get in the car. Get in the fucking car!” (**Allegations D, E, and F**). PO Farrell then allegedly began punching § 87(2)(b) in the face and neck (**Allegation G**). PO Castellano also allegedly grabbed § 87(2)(b) (**Allegation H**). § 87(2)(b) was moving his body to avoid the punches, and in response, PO Villalona purportedly began to choke § 87(2)(b) restricting his breathing (**Allegations I and J**). § 87(2)(b) became dizzy and fell in the van, during which time PO Castellano got in and allegedly continued to hit him (also **Allegation H**). § 87(2)(b) was subsequently taken the stationhouse where his arrest was later voided.



SnagIt Video.mp4

Video footage was provided by § 87(2)(b) from a cellphone camera of an unknown witness. The video is not time-stamped, but does contain sound. The video shows § 87(2)(b) and § 87(2)(b) with officers, waiting on the corner of Halsey and Wilson Street for transport. The video ends prior to the arrival of the black van. It does not capture the allegations herein and so was not used in the analysis of the recommended dispositions (Board Review #1).

The investigation consulted with an attorney about this case.

This case exceeded the 90-day threshold on August 23, 2017 due to difficulty identifying and scheduling the officers.

Mediation, Civil and Criminal Histories

- This case was not suitable for mediation due to § 87(2)(b) planning to file a lawsuit.

- § 87(2)(b) [REDACTED]

- The Comptroller of the City of New York recorded a Notice of Claim filed by § 87(2)(b) in regards to this incident. The claim alleges false arrest, false imprisonment, violation of civil rights, violation of constitutional rights, deprivation of liberty, assault and battery,

excessive force, negligence and gross negligence, libel, slander, damage to reputation and pain and suffering and requests damages in the sum of \$1,000,000 (Board Review #3).

Civilian and Officer CCRB Histories

- PO Ward has been a Member of Service for seven years. He currently has one additional case, 201704987, under active investigation. He has been a subject in four other complaints, totaling eleven allegations, with no substantiations.. § 87(2)(g) (Board Review #4).
- Det. Welch has been a Member of Service for nine years and has not been a subject in any previous CCRB complaints (Board Review #5).
- PO Farrell has been a Member of Service for seven years and has not been a subject in any previous CCRB complaints (Board Review #6).
- PO Villalona has been a Member of Service for nine years. He has been a subject in twelve other complaints, totaling twenty-three allegations, with no substantiations. § 87(2)(g) (Board Review #7).
- PO Castellano has been a Member of Service for nine years. He has been a subject in four other complaints, totaling six allegations, with no substantiations. § 87(2)(g) (Board Review #8).
- Det. Catano has been a Member of Service for ten years. He has been a subject in two other complaints, totaling two allegations. § 87(4-b), § 87(2)(g) (Board Review #9).
- This is § 87(2)(b)'s second CCRB complaint. § 87(2)(b)

Potential Issues

The undersigned was not able to obtain a statement from § 87(2)(b) because he was unavailable. On June 23, 2017, a please call letter was sent to § 87(2)(b). It has not been returned by the U.S. Postal Service. A BADS search conducted on June 5, 2017, and subsequent OCA searches showed that § 87(2)(b) in relation to this incident, is currently represented by Legal Aid. His next court date is scheduled for § 87(2)(b).

Subject Officer Identification

While § 87(2)(b) alleged that PO Farrell handcuffed him, the investigation determined that Det. Welch was actually the officer that arrested § 87(2)(b). Thus an allegation of abuse (improper arrest) was pled against Det. Welch, and not PO Farrell.

Findings and Recommendations

Allegations Not Pleaded

§ 87(2)(b) stated that after being placed in handcuffs, he was frisked and searched. § 87(2)(g)

Allegation A – Abuse of Authority: Police Officer Allan Ward improperly arrested § 87(2)(b)

Allegation B – Abuse of Authority: Detective Christopher Welch improperly arrested

§ 87(2)(b)

It is undisputed that on May 23, 2017 at 4:00 p.m., officers from Brooklyn North Narcotics executed a search warrant at § 87(2)(b) in Brooklyn in search of narcotics and § 87(2)(b) a suspected drug dealer. Prior to the execution of the warrant, PO Ward, the arresting officer, learned that § 87(2)(b) was not at the warrant location, but at Irving Square Park, a few blocks away. Several officers went to the park to apprehend § 87(2)(b) while the remaining officers executed the search warrant. § 87(2)(b) who was in Irving Square Park at the time, was arrested along with § 87(2)(b). In dispute are the circumstances surrounding § 87(2)(b)'s arrest.

Search Warrant § 87(2)(b) (Board Review #11), dated May 18, 2017 and signed by Honorable § 87(2)(b) states: based on an affidavit provided by PO Ward, there is reasonable cause for believing that evidence of the possession of narcotics and the means of committing a narcotics crime, may be found in § 87(2)(b), Kings County, New York, and of the person of § 87(2)(b) if present therein. The warrant allows for the search of § 87(2)(b) and person of § 87(2)(b) if present therein.

The Post Tactical plan for the search warrant (see Board Review #12) shows both PO Ward and Sgt. Anghel in the leader car.

An OCA search for § 87(2)(b) conducted on November 17, 2017 for arrest #§ 87(2)(b) associated with this case, shows § 87(2)(b) was charged with § 87(2)(b). His next trial date is scheduled for § 87(2)(b) (Board Review #13).

§ 87(2)(b), § 87(2)(a) 160.50

Google Maps (Board Review #15) showed that Irving Square Park is .02 miles from § 87(2)(b) in Brooklyn.

§ 87(2)(b) (Board Review #16) stated that he was sitting on a bench in the park while on break from class. The park was full of people and § 87(2)(b) was sitting on a bench next to him. § 87(2)(b) and § 87(2)(b) spoke briefly. Shortly thereafter Det. Welch, approached with PO Quallis and PO Farrell. The officers walked to § 87(2)(b) took a “blunt” from his hand and handcuffed him. Det. Welch then approached § 87(2)(b) and asked him for his ID. § 87(2)(b) noted that at the time of the arrest, he was on probation and knew that he was not doing anything unlawful, did not have any open warrants, or contraband on his person. § 87(2)(b) thus stood and complied. Det. Welch handed § 87(2)(b)'s ID to PO Farrell. PO Farrell then handcuffed § 87(2)(b) and he was taken to the stationhouse. At the stationhouse, Sgt. Anghel told § 87(2)(b) that he would be out shortly. When § 87(2)(b) asked why he had been arrested, Sgt. Anghel replied that § 87(2)(b) had been in the wrong place at the wrong time,

and made a comment about the company he was keeping. § 87(2)(b) explained that he had just been sitting in the park with a bunch of other people, who were also in the park. Sgt. Anghel told § 87(2)(b) that they didn't want him to get in trouble and kicked him out of the stationhouse. In a follow-up phone statement (Board Review #17), § 87(2)(b) explained that he had known § 87(2)(b) for most of his life and they had spoken for about five to six minutes on the bench before they began texting on their phones. Shortly thereafter, they were approached by the officers.

PO Ward (Board Review #18) stated that § 87(2)(e), § 87(2)(f)

PO Ward was operating an unmarked van with Sgt. Anghel, and Det. Jamar Goddard and PO Daniel Molinski of Brooklyn North Narcotics. § 87(2)(e), § 87(2)(f)

§ 87(2)(e), § 87(2)(f)

§ 87(2)(b) and § 87(2)(b) were sitting on a bench together. The female approached § 87(2)(b) and handed him the US currency. § 87(2)(b) then walked the woman a few feet over to § 87(2)(b) who went into his groin area and took out a plastic sandwich bag with several glassines. PO Ward explained that he knew these were glassines because over the course of his investigation, he had learned that § 87(2)(b) sold glassines in bright, Easter egg colors like pink, turquoise and light blue. After § 87(2)(b) handed the woman the glassines, he took the money from § 87(2)(b) and went back and sat on the bench. PO Ward emphasized that although § 87(2)(b) was the focus of the investigation, § 87(2)(b) inserted himself into the narcotics sale by guiding the woman to § 87(2)(b).

PO Ward said it was not safe to execute a warrant at a building, while trying to apprehend people in the park, so the officers decided to "freeze" § 87(2)(b) and § 87(2)(b) while they executed the search warrant. PO Ward placed a description over the radio for § 87(2)(b) and § 87(2)(b) describing them as two male blacks. He informed the other team members that § 87(2)(b) had on a black t-shirt and a red baseball hat. He also relayed exactly what was going on. After PO Ward put out the description, two cars arrested § 87(2)(b) and § 87(2)(b). During this time, PO Ward executed the search warrant at § 87(2)(b).

PO Ward later spoke to § 87(2)(b) at the stationhouse for 15 to 20 minutes. § 87(2)(b) told him that he was on parole and begged to not be charged. § 87(2)(f)

After running his arrest record,

PO Ward confirmed that § 87(2)(b) was on probation. § 87(2)(e), § 87(2)(f)

PO Ward stated that there was probable cause for § 87(2)(b)'s arrest and added that Sgt. Anghel was with him during the entire incident, and never objected to his instructions to the field team.

Sgt. Anghel (Board Review #19) stated that he was the assigned supervisor for the search warrant and was in his vehicle somewhere on Irving and Hancock, about three to five blocks away from the park and § 87(2)(b). He could not remember if anyone else was in his car. From his location, he could not see if anyone was in the park. The chase car said they observed a subject matching the description. Sgt. Anghel could not remember who was in the chase car. An apprehension team then went from the target location the park to apprehend § 87(2)(b). With the approval of his captain, Sgt. Anghel and the remaining officers then executed the warrant, arrested three to four people in the location, and retrieved firearms and narcotics. During this time the only information relayed to him from the Field Team was that they had arrested § 87(2)(b).

After completing the search warrant, Sgt. Anghel returned to the stationhouse and saw § 87(2)(b) in the cells. § 87(2)(b) was crying and saying he did not want to be arrested. Sgt. Anghel replied, "Maybe you should keep better company if you don't want to end up in situations like this." Sgt. Anghel then spoke to the desk about § 87(2)(b) and learned that § 87(2)(b) had been arrested with § 87(2)(b). Sgt. Anghel then interviewed the entire field work team about what had transpired in the park and how § 87(2)(b) had been involved. The field team informed him that § 87(2)(b) had been arrested with § 87(2)(b) and they thought he might have been involved in the situation. Sgt. Anghel could not remember if they discussed § 87(2)(b) or if any transactions were conducted with him. No officer could provide a definite answer as to who brought him in. No officer mentioned § 87(2)(b) resisting or having to use force. At that point, Sgt. Anghel determined that there wasn't enough probable cause to proceed with § 87(2)(b)'s arrest, so he voided the arrest.

Det. Welch (Board Review #20) said he was in his vehicle with Det. Catano and PO Quallis waiting for orders. When they got close to § 87(2)(b), a transmission came over the radio that the target was in Irving Square Park. Det. Welch was instructed to go there with Det. Catano and PO Quallis. When they arrived at the park, they received another radio transmission that there had been a positive observation for a sale of narcotics. Det. Welch did not know who had observed the transaction, but noted that the positive observation provided probable cause for an arrest. Once Det. Welch received a description of the individuals observed in the transaction, he entered the park. Det. Welch went through one entrance and Det. Catano and PO Quallis went through another, just in case the individuals decided to run away. Det. Welch saw § 87(2)(b) and another individual, identified through investigation as § 87(2)(b) on a bench matching the description. Det. Welch was the first to arrive and when he got closer, he asked both males to get up and turn around. They complied and he placed handcuffs on § 87(2)(b) while he waited for PO Quallis and Det. Catano. Once they arrived, he had the officers stay with § 87(2)(b) while he handcuffed § 87(2)(b) who was compliant.

Det. Catano (Board Review #21) provided a statement consistent with Det. Welch. Det. Catano noted that by once he reached the park, Det. Welch was already there, and § 87(2)(b) and § 87(2)(b) were already handcuffed.

PO Quallis (Board Review #22) stated that she, Det. Catano and Det. Welch approached the males together and explained to them that they were being placed under arrest. Some officers on scene, but PO Quallis did not know who, immediately placed § 87(2)(b) in handcuffs. PO Quallis stated that while she later learned § 87(2)(b)'s arrest was voided, she asserted there was not a question of probable cause because officers, though she could not recall who, had observed § 87(2)(b) engage in a hand-to-hand drug sale.

In *People v. Schlaich*, 640 N.Y.S.2d 885 (1996), the Court held that the testimony of a trained and experienced police officer as to observations of several hand-to-hand transactions in a drug-prone neighborhood was sufficient for probable cause for arrest and search based on a reasonable belief of criminal possession of a controlled substance with intent to sell, even where the objects, or their packaging, transferred in the observed transactions were not precisely identified from a distance (Board Review #23). PL §220.03 states that a person is guilty of Criminal Possession of a Controlled Substance in the Seventh Degree when that person knowingly and unlawfully possesses a controlled substance (Board Review #24).

§ 87(2)(g)

In *People v. Glittens*, 627 N.Y.S.2d 435 (1995), the Court, in its discussion of the fellow officer rule, held that when officers are working in close temporal and spatial proximity to one another, circumstances may provide one officer with grounds for a reasonable belief that a fellow officer or officers possess knowledge which, alone or in conjunction with the knowledge possessed by him, is sufficient to warrant some level of intrusive action (Board Review #25).

§ 87(2)(g)

Allegation C - Force: Police Officer Alejandro Villalona used physical force against § 87(2)(b)

Allegation D - Discourtesy: Police Officer Alejandro Villalona spoke discourteously to

§ 87(2)(b)

Allegation E - Discourtesy: Police Officer Rene Castellano spoke discourteously to § 87(2)(b)

Allegation F - Discourtesy: Police Officer Rene Castellano spoke discourteously to § 87(2)(b)

Allegation G - Force: Police Officer Michael Farrell used physical force against § 87(2)(b)

Allegation H - Force: Police Officer Rene Castellano used physical force against § 87(2)(b)

Allegation I - Force: Police Officer Alejandro Villalona used a chokehold against § 87(2)(b)

Allegation J - Force: Police Officer Alejandro Villalona restricted § 87(2)(b)'s breathing.

It is undisputed that § 87(2)(b) refused requests to enter the police van. In dispute are the events that occurred thereafter.

§ 87(2)(b)'s medical records (Board Review #26) show that he received treatment at § 87(2)(b) on § 87(2)(b). He came in complaining of a headache, which he said had been obtained during an incident with the police, during which time his head was slammed on the van and he was punched by officers. A physical examination conducted by the provider found § 87(2)(b) was negative for facial swelling, double vision, and nausea. His head had a contusion, but no lacerations. An x-ray as well as a CT scan conducted for his head and face was returned as negative. There was no evidence of an acute traumatic intracranial injury or an acute fracture.

In § 87(2)(b)'s original IAB complaint, Original Log #17-19577 (Board Review #36), § 87(2)(b) stated that after being pushed by PO Villalona, he hit his head on the van. PO Villalona then started to choke him, while PO Farrell punched him in the face. He did not discuss any force used in the van.

§ 87(2)(b) (Board Review #16) stated during his interview, that after being handcuffed, he repeatedly asked the officers why he was being taken to the stationhouse when he had not done anything wrong. § 87(2)(b) stated that PO Castellano and PO Villalona, then pulled up in a black van on the corner of Halsey and Wilson Street and exited the vehicle. PO Villalona, instructed § 87(2)(b) to get into the van. § 87(2)(b) again asked why he was going to the stationhouse and asked the officers to un-handcuff him because he had not done anything wrong. PO Villalona instructed § 87(2)(b) to get in the van. § 87(2)(b) replied, "What am I getting in the fucking car for?" In response, PO Villalona grabbed § 87(2)(b) by the arm and threw him against the van, hitting his whole head against the hood of the van. § 87(2)(b) was still refusing to get in the van, and PO Villalona, PO Castellano, and PO Farrell said, "Motherfucker, get in the car! Get in the fucking car!" PO Farrell then punched him four times in

the face and once in his stomach. As § 87(2)(b) was getting punched, he became angry and moved his body to avoid the punches. PO Villalona started choking him and instructed him to, “Get in the damn car and stop fighting.” § 87(2)(b) got weak from the officer pressing on his windpipe and he fell into the van. After he fell in, the officers threw his feet into the van, and PO Castellano got in the car. The officers were still punching him and instructing him to calm down. PO Villalona, who was driving the vehicle, then asked § 87(2)(b) who he thought people were going to believe—him or the police. PO Castellano pushed him back into the seat. § 87(2)(b) didn’t say anything because he was so mad. He noted that he was in the back of the van by himself until the officers picked up two more people on a different block as part of a raid. He noted that later, while at the stationhouse his face was puffy and swollen. He noted that during the course of the interaction he injured his shoulder and his wrist was swollen. In his follow-up phone statement (Board Review #17), § 87(2)(b) explained that he verbally, not physically, resisted, asking the officers why they were harassing him. When PO Villalona choked him, he had both hands around his neck.

In an unrecorded statement to investigators from the Field Team, a male witness (Board Review #27) who said § 87(2)(b) and did not wish to provide his name, said he only saw § 87(2)(b) after he was in handcuffs. § 87(2)(b) screamed multiple times, “Let me go! It’s not my fault!” The witness noted that there were only two officers who were originally on scene, but they requested back up after § 87(2)(b) refused to get into the car. When back-up officers arrived, § 87(2)(b) still refused to get into the police van. The witness stated that officers used no physical force other than pushing and shoving, as § 87(2)(b) was resisting their efforts to place him into the police van. He did not see any punches thrown and did not see any officers grab § 87(2)(b)’s neck and choke him. § 87(2)(b) was adamant about not going into the police van and the officers had to physically force him into it. The witness did not see any officers forcefully hit § 87(2)(b)’s head into the van as they attempted to place him into it. He estimated that the incident lasted approximately five minutes in total and § 87(2)(b) was eventually placed into the back of the van and taken away.

TRI report § 87(2)(b) (Board Review #28) provided by Capt. Benjamin Lee of Narcotics Brooklyn Borough North, stated he was notified at the command center that § 87(2)(b) alleged on May 23, 2017 that he suffered injuries as the result of police contact. Capt. Lee interviewed Sgt. Anghel who did not observe any injuries nor hear § 87(2)(b) complain of any injuries. Capt. Lee interviewed PO Castellano who stated he did not observe any injuries nor hear § 87(2)(b) complain of any injuries.

PO Villalona (Board Review #29) stated that he and PO Castellano were called to the corner of Halsey and Wilson Street for transport. PO Villalona served as the vehicle operator and when he arrived, he saw two individuals being held for transport with members of the field team. At the time of pickup he did not know anything about the individuals or why they were being arrested. § 87(2)(b) was extremely irate and agitated. He did not want to be arrested and was screaming profanities like, “Fuck you! I don’t want to go! This is bullshit!” PO Villalona and PO Castellano exited their vehicle and asked § 87(2)(b) to go to the van, but he refused to comply. PO Villalona and PO Castellano then pushed and pulled § 87(2)(b) to get him into the van. § 87(2)(b) was still resisting and stiffening his body and pushing in the other direction. Through persistence, he was eventually able to get § 87(2)(b) in the van. He stated

that § 87(2)(b) was not thrown into the van. He was pushed forward into the van and then PO Villalona sat him into the vehicle and seat belted him. PO Villalona never punched § 87(2)(b) and asserted that no officer was striking § 87(2)(b). He never choked § 87(2)(b) or made contact with his neck. He did not use any profanity towards § 87(2)(b) or recall hearing other officers telling him, “Motherfucker, get in the car.” He also did not strike § 87(2)(b) while they were in the vehicle.

PO Castellano’s statement (Board Review #30) was consistent with PO Villalona. He could not recall if § 87(2)(b) or § 87(2)(b) said anything. PO Castellano grabbed whoever was standing closest to him by their arm and led them into the van. He did not believe that anyone physically resisted getting into the van, and could not remember if force was required. PO Castellano did not remember hearing any officer using profanity. He stated that the officers did not use any force and did not remember any difficulties getting § 87(2)(b) or § 87(2)(b) into the van. PO Castellano stated that he and PO Villalona did not use any force on § 87(2)(b) once they got into the van.

PO Farrell (Board Review #31) said that § 87(2)(b) refused to move his feet and kept yelling that he was not going in the van. PO Farrell and the other officers asked § 87(2)(b) to get in the van. PO Farrell and two other officers then pushed § 87(2)(b) somewhere on his back into the sliding door entrance of the van. § 87(2)(b) continued to refuse to go in, so PO Farrell grabbed § 87(2)(b)’s arm and lifted him into the van. PO Farrell did not recall using, or hearing other officers use profanity against § 87(2)(b). PO Farrell did not see § 87(2)(b) get choked and did not hear him complain about his breathing being restricted. After § 87(2)(b) was placed in the van, PO Farrell got in the front passenger seat. Another officer stayed with § 87(2)(b) in the back. § 87(2)(b) was still irate, but appeared to calm down a bit.

Sgt. Anghel (Board Review #19) stated that he did not later see any injuries on § 87(2)(b) and § 87(2)(b) did not say anything to him about officers beating him up.

When PO Ward (Board Review #18) returned to the stationhouse, he spoke to several officers, who told him that § 87(2)(b) had been very rude and disrespectful and caused a scene, making it difficult for officers to arrest him and place him in the car. PO Ward did not know if force was used to get § 87(2)(b) into the car, but he did not hear any of the officers mention anything about hitting, punching or choking § 87(2)(b). § 87(2)(b) did not say anything about being choked or any force being used against him. Outside of a scar on his face that he had obtained prior to his arrest, he did not have any bruising or other visible injuries.

Det. Welch (Board Review #20) stated that officers involved in the search warrant came to transport § 87(2)(b) and § 87(2)(b). § 87(2)(b) was placed in one vehicle, and another vehicle came to transport § 87(2)(b). Det. Welch could not recall § 87(2)(b) refusing to get in the vehicle and did not see any force used on § 87(2)(b) to get him into the car.

Det. Catano (Board Review #20) stated that § 87(2)(b) and § 87(2)(b) were irate and cursing, asking why they had been arrested and saying, “Fuck you guys.” When the 83 team arrived in a minivan, they were placed in the same car. Det. Catano did not remember anyone refusing to get

in the car or force being used to get anyone into the minivan. He did not use, or hear any officers use profanity.

PO Quallis (Board Review # 21) stated that § 87(2)(b) was giving some of the officers a hard time about getting into the vehicle, but she was not paying attention because she was focused on § 87(2)(b). As PO Quallis was helping § 87(2)(b) get inside a police vehicle, she heard § 87(2)(b) yelling that he wasn't going to get inside the vehicle, and officers were ordering him multiple times to get inside the car. § 87(2)(b) was then placed into a minivan driven by two officers. She did not see him get placed in the minivan, or see or hear any officers use force or profanity towards him.

Patrol Guide Procedure 221-02 says that officers should apply no more than reasonable force necessary to gain control (Board Review #32).

§ 87(2)(g)

[REDACTED]

Patrol Guide 203-09 states that when engaging with the public officers must be courteous and respectful (Board Review #33).

§ 87(2)(g)

[REDACTED]

§ 87(2)(g)

[REDACTED]

§ 87(4-b), § 87(2)(g)

[REDACTED]

Squad: 12

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date